THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.4224 OF 2005

-

Dated: 23-12-2005

-

Between

Pottennagari Jayarami Reddy,

S/o. late P. Suryanarayana Reddy,

Occ: Business H.No.2L, B6/2, III Phase,

KPHB Colony, Kukatpally, Hyderabad.

...PETITIONER

AND

The District Collector – Ranga Reddy District

at Saifabad, Hyderabad and others.

...RESPONDENTS

ORDER:

-

-

Learned counsel for the petitioner submits that the petitioner is the absolute and exclusive owner of land bearing Plot No.341 admeasuring 200 Square yards in Survey Nos.329/3 and 329/8 at Gajularamaram Village, Qutbullapur Mandal, Ranga Reddy District having purchased the same under a registered sale deed dated 04.10.2003. As the petitioner intended to sell his property,

he approached the respondents 2 and 3 for the purpose of registration of the said land in favour of prospective purchaser, but the respondents 2 and 3 informed the petitioner that they are not registering the sale deeds of the petitioner due to the circular instructions

issued by the first respondent in Proc.No.R.C.No.E2/406/2001 dated 06.02.2001 requesting the

Sub-Registrars of Ranga Reddy District not to register any sale deed without prior approval or no objection certificates from the District Collector.

The learned counsel for the petitioner further submits that the said circular has been set aside by this Court by order dated 31.12.2004 in W.P.No.25256 of 2004 and in other writ petitions.

Learned Government Pleader submits that no notification under Section 22(A) of the Registration Act, 1908 (for short 'the Act') has been issued by the Government prohibiting the registration of sale deeds and therefore, there cannot be any legal impediment to register the sale deed.

Having regard to the facts and circumstances of the case,

the writ petition is allowed setting aside the impugned order.

The third respondent is directed to register any sale deed or document presented by the petitioner subject to the compliance of the provisions of the Indian Stamp Act and the Registration Act.

_____

V. ESWARAIAH, J

December 23, 2005

DSK